

Appin No. 09/693,317  
Amdt. Dated May 30, 2005  
Response to Office Action of May 4, 2005

### **REMARKS/ARGUMENTS**

Applicant thanks Examiner for the detailed Office Action dated May 4, 2005. In response to the issues raised, the Applicant offers the following submissions.

#### **35 U.S.C. §103 - Claims 1, 3 and 4**

Claims 1, 3 and 4 stand rejected as obvious in light of the disclosure in US 6,603,864 to Matsunoshita in view of US 6,094,279 to Soscia.

The Examiner contends that Matsunoshita teaches an apparatus 52 for reading image data from digital data printed onto a visible image. The Applicant strongly disagrees. The scanner 52 does not read digitally encoded image data from the visual image. The scanner is capable of reading bar codes printed in infrared (IR) ink. It has a CCD image sensor to receive light reflected from the image. The analogue video signal from the CCD is output to the video circuit 75 where it is then converted to digital image data (col. 17, lines 65-67). This is not reading digital image data printed onto a photograph as required by the present invention.

Matsunoshita discloses IR bar codes printed on the visible image. These bar codes are read by the bar code detection unit 57 from the digital image data produced by the video circuit 75. The copyright information encoded into the bar codes, is then embedded into the digital image data before it is stored or sent to a PC (see col. 18, lines 7-18). The bar codes are not encoded image data. The bar codes identify the copyright owner. The Examiner states that the bar code is inherently encoded image data. This is plainly incorrect. Image data is a digital record of the actual image. The actual image can be reproduced from image data. The bar codes store copyright information. The image can not be reproduced by the copyright ID's in the bar codes.

The Examiner also states that the Matsunoshita apparatus has an inkjet printer that prints out the image derived from the decoded image data. The Applicant refutes this assertion. The Examiner bases his argument on the description of Matsunoshita's third embodiment shown in Figures 20 and 21 (see col. 16, lines 38-65). In this embodiment, the image data is sent to

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the processing apparatus 50 from a personal computer. The image data may have additional data, such as copyright ID information. If so, the additional data is sent to a bar code creation unit 58 which produces image data for printing an appropriate bar code by the printer 51. The present invention requires the image data sent to the printer to be the image data that was digitally encoded and printed onto the photograph. Matsunoshita does not disclose this. None of Matsunoshita's embodiments describe any encoded digital image data printed onto the visual image. The bar codes are copyright owner ID's. Further more, it fails to disclose the retrieval of this image data for reproducing the visual image with a printer. It merely teaches scanning the image with a CCD and converting the analogue signal into digital image data. During the scanning process, the print media is not advanced through the scanner. From Figure 22, it is clear that the media lies flat on the glass platen while the illuminating lamp traverses the width of the manuscript.

Soscia also fails to disclose any digitally encoded image data printed onto a visible image, or the reproduction of the image with a printer using the image data retrieved and decoded from the original image.

Both Matsunoshita and Soscia fail to suggest the possibility of replacing a photograph that has deteriorated with time by reprinting the photograph using digital image data encoded and printed onto the photograph itself. The cited art scans the image with a CCD to produce digital image data that incorporates all the imperfections in the deteriorated image. The invention reprints the photograph without any artifacts that appear as the original ages and degrades.

From the above, it is clear that both the cited documents fail to disclose several of the key elements of claim 1. Accordingly, claim 1, and appended claims 3 and 4, are not obvious in view of the cited references.

### **35 U.S.C. §103 - Claims 2 and 5**

Claims 2 and 5 stand rejected as obvious in light of the disclosure in US 6,603,864 to Matsunoshita in view of US 6,094,279 to Soscia in further view of US 5,771,245 to Zhang.

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Zhang also fails to suggest invisibly printing digitally encoded image data onto a photograph for later retrieval and reproduction of the photograph. Likewise, Zhang does not disclose any of the other claim elements discussed above. Both claims 2 and 5 are appended to claim 1 (claim 5 appends via claim 4). It follows that the cited references fail to disclose or suggest all the features of claims 2 or 5 and therefore these claims are not obvious.

### Conclusion

It is respectfully submitted that the Examiner's rejections have been successfully traversed and the application is now in condition for allowance. Accordingly, favorable reconsideration of the application is courteously solicited.

Very respectfully,

Applicant:



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KIA SILVERBROOK

Applicant:



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PAUL LAPSTUN

Applicant:



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SIMON RBERT WALMSLEY

C/o: Silverbrook Research Pty Ltd  
393 Darling Street  
Balmain NSW 2041, Australia

Email: [kia.silverbrook@silverbrookresearch.com](mailto:kia.silverbrook@silverbrookresearch.com)

Telephone: +612 9818 6633

Facsimile: +61 2 9555 7762